

Application No. 10/675,852
Docket No.: MBI-0022CIP
Preliminary Amendment
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REMARKS

This amendment to the first paragraph of the specification is to clarify the relationship between the originally listed priority applications to the instant application. A petition is attached to accept an unintentionally delayed claim under 37 CFR 1.78(a)(3).

This amendment also enters the Application number for U.S. Non-provisional application no. 10/666,642, filed September 18, 2003, which was not known at the time the present application was filed (this application was originally listed as "Polynucleotides and Polypeptides in Plants", filed September 18, 2003). The amendment also corrects an incorrect filing date for Application No. 10/286,264, originally listed as January 23, 2003; the correct filing date was November 1, 2002. Further, the amendment provides the status of each of the priority applications as of the filing date of the instant application.

Subsequent amendments are being made to correct minor typographical errors. Since most of the typographical errors require adding, deleting or replacing only one or a few characters, the changes are also noted in each directive to help identify each specific change.

The correction of the typographical error of "GAL1" to GAL4" is supported by the Li and Herskowitz (1993) *Science* 262: 1870-1874 article referred to in the specification, as well as in the specification as filed (e.g., "random cDNA inserts fused to the GAL4 activation domain").

The amendment to add the text "Stress assays that were conducted with more mature plants also included" to the first line of the paragraph on page 88, lines 10-15 is to correct a typographical error that deleted this portion of the first sentence of the paragraph and separated these lines from the prior paragraph. This amendment is supported by the preceding text that originally was part of the same paragraph.

The amendment to delete four paragraphs on page 89 (lines 21-34) was made because these paragraphs are duplicated (except for minor differences in sentence order) in the text above on page 87, line 27 through page 88, line 9.

The amendment to correct the SEQ ID NOs in Table 6 is supported by the comment lines (<223>) for SEQ ID NOs: 2 and 4 in the Sequence Listing, and, for example, on page 7, line 9 and in Table 1 on page 31. The amendment to add the two asterisks in Table 6, indicating that G481 has improved germination in high sucrose, is supported on page 90, lines 20-25.

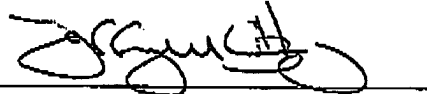
Accordingly, no new matter is added by any of these amendments to the specification. Entry of these amendments is respectfully requested.

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CONCLUSION

Applicants believe that no additional fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Mendel Biotechnology, Inc. Deposit Account No. 50-1025.

Respectfully submitted,
MENDEL BIOTECHNOLOGY, INC.



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